

RULE 1

MEETING OF THE BOARD

- SECTION 1: The board shall hold one regular meeting within each quarterly period of the calendar year, in the months of January, April, July, and October. The board shall hold such special meetings as may be called by the chairperson or as provided in Revised Statute 33:2471 and those that follow.
- SECTION 2: Unless otherwise provided in the notice for such meetings, all meetings shall be held at New Iberia City Hall Council Chambers.
- SECTION 3: Notice of all meetings, including regular meetings, shall be given by posting such notice in the city hall, not less than five (5) days before the date fixed for such meeting, unless otherwise provided by law. Such notice shall state the time, place, and subject matter to be covered, and whether said meeting is regular or special.
- SECTION 4: Special meetings of the board will be held only upon call of the chairman, or in his absence the Vice-chairman, or as provided by Revised Statute 33:2471 and those that follow.
- SECTION 5: All board meetings shall be open to the public, except when the board meets in executive session as provided for in Revised Statute 42:4,1,. Four board members must be present in order to conduct business.
- SECTION 6: All board members must be notified not less than five (5) days preceding all regular board meetings.

RULE II

SUBJECT MATTER OF MEETINGS

- SECTION 1: At regular meetings of the board it shall consider all old and new business which may be brought to its attention in the manner hereinafter provided.
- SECTION 2: At special meetings the board shall consider only those items of business for which the meeting was called, except by agreement of a majority of the board members, other matters may be considered.

RULE III**ORDER OF BUSINESS**

SECTION 1: At regular meetings the order of business shall be as follows:

1. Reading of the minutes
2. Special and general reports
3. Decisions and orders on matters considered at previous hearings and meetings.
4. New business.

SECTION 2: At special meetings the order of business shall be as follows:

1. Reading of minutes.
2. Decisions and orders on matters considered at previous hearings and meetings
3. Hearing of matters previously fixed for the special meeting.

RULE IV**EXECUTIVE SESSIONS**

SECTION 1: The board, if required, will meet in executive session during regular or special meetings, by two thirds vote of those present when considering those matters which may be discussed under provisions of Revised Statute 42:4.1, (relative to public meetings) and those statutes that follow. Any voting on matters discussed in executive sessions shall be conducted upon return to public meeting.

RULE V**APPLICATION FOR APPEALS AND HEARINGS**

SECTION 1: Any person authorized to appeal to the board under the provisions of Civil Service Law may apply for such an appeal by a written notice giving a clear and concise statement of the action complained against, the basis of the appeal, and the relief sought. Application for appeals to the board under the provisions of R.S. 33:2501 of Civil Service Law shall be made only by regular employees in the classified service and shall be limited to matters involving discharge, corrective or disciplinary action and the application shall so state. All other request

for hearings shall set forth the section of Civil Service Law under which the application is brought and shall contain a statement of the jurisdiction of the board. All applications for appeals and other hearings must be signed by the applicant or his counsel, if any, and must give the full name and post office address of the appellant and of his counsel. Written notice shall be filed with the chairperson of the board or the board official so designated to receive such applications.

SECTION 2: No appeal shall be effective unless the above stated notice is filed within fifteen (15) days following the action complained against, or where written notice is given of an action to be thereafter effective, within the fifteen (15) days following the date on which such written notice is given.

SECTION 3: The secretary of the board shall cause the date of filing to be noted on each notice of appeal and shall file said appeal on the appeals docket, giving the said appeal an appropriate title.

RULE VI

PROCEDURE ON APPEALS

SECTION 1: All hearings on appeals shall be open to the public.

SECTION 2: Parties shall have the right, but shall not be required, to be represented by counsel. When any party is represented by more than one attorney, only one attorney for any party shall be permitted to examine the same witness.

SECTION 3: The rules of evidence as applied in civil trials before the courts of this state need not be strictly complied with, but the board shall limit evidence to matters having a reasonable relevance to the issues before the board. The burden of proof, as to the facts, shall be on the appointing authority except in those cases where the employee alleges discrimination based on political, religious beliefs, sex, or race.

SECTION 4: Parties and witnesses shall be subject to cross-examination as in civil trials. The board looks with favor upon stipulations of undisputed facts.

- SECTION 5: The board may, on request of any party or on its own motion, place witnesses other than parties under the rule of the board and thus exclude them from the hearing room.
- SECTION 6: Any party desiring the issuance of a subpoena for the attendance of a witness or the production of books or papers must apply for appropriate order, to the board, in writing at least eight (8) days before the time fixed for the hearing.
- SECTION 7: The written rules, regulations, and procedures of the civil service board and Revised Statute 33:2471 and those that follow will be the basis of all hearings and appeals.

RULE VII

DISMISSAL OF APPEALS

- SECTION 1: If the appellant fails to appear at the place and time fixed for any hearing, his appeal may be dismissed or the board may, in its discretion, continue the case or proceed with the hearing and render its decision upon such evidence as may be adduced at the hearing.

RULE VIII

TRANSCRIPTS OF HEARINGS

- SECTION 1: If any party to the hearing desires a permanent transcript of the hearing, the party shall furnish a court reporter for said purpose at their own expense. Where a court reporter is furnished, the first copy of the original of the transcript shall be filed with the board and shall become part of the permanent record of any subsequent appeal. Where no court reporter is furnished, the secretary of the board shall maintain as complete notes as is feasible and the board will issue a written finding of fact.

RULE IX

OTHER HEARINGS:

- SECTION 1: All other hearings of the board shall be instituted and shall be conducted in accordance with the above and foregoing rules and Civil Service Law in general.

RULE X**APPLICATION FOR ADMISSION TO TEST**

- SECTION 1: Test for entry upon promotional and competitive employment list shall be advertised for and administered in accordance with R.S. 33:2492 of Civil Service Law. Test for entrance upon competitive employment list may be given as the needs of the service require as determined by the civil service board. Test for entry upon promotional employment list may be given after existing list is twelve (12) months old and not yet expired and shall be given at least one time during each successive period of eighteen (18) months.
- SECTION 2: Applications for admission to tests on board approved forms, will be received by those individuals designated by the board at any time before final date for receiving applications. Approved applicants will be notified at least five (5) days in advance of the date fixed for the exam. Individuals designated to receive applications will forward such applications to the board secretary and shall be kept as a permanent record of the board in accordance with Civil Service Law.
- SECTION 3: Promotional and competitive employment lists shall be maintained by the board for eighteen (18) months.
- SECTION 4: Admission to tests shall be governed by provisions of R.S. 33:2493 of Civil Service Law.
- SECTION 5: When results of any examination are furnished to the board by the State Examiner, the Chairperson shall forthwith call the board for a special meeting for approval thereof. Employment list shall become effective upon approval of and by a majority of the board and filing of the same by the board with the State Examiner.

RULE XI**DISTRIBUTION OF BOARD RULES**

- SECTION 1: A copy of the board rules shall be distributed to each board member, governing body one (1) copy, Police Chief and Fire Chief one (1) copy, and police and fire bulletin boards one (1) copy.

SECTION 2: A copy of the board rules shall be given on request to an appellant or his counsel prior to a hearing.

A RESOLUTION RULE XII

ESTABLISHING A RULE RELATIVE TO LEAVES OF ABSENCE IN THE CLASSIFIED SERVICE OF THE FIRE AND POLICE DEPARTMENTS.

BE IT RESOLVED by the Municipal Fire and Police Civil Service Board of the City of New Iberia:

SECTION 1: There are hereby established rules and regulations relative to leaves of absence in the classified service of the Fire and Police Departments, which shall hereafter be known as "Leave" Rules of the New Iberia Municipal Fire and Police Civil Service Board," which said rules shall read as follows:

LEAVES OF ABSENCE

SECTION 1: AUTHORIZATION, PURPOSES AND CONDITIONS

- 1.1 Leaves of absence may be made by the Appointing Authority, and shall be made when required by law and these rules, to employees working in the classified service, provided all such leaves shall be granted and used in accordance with the provisions and subject to the purposes and conditions as hereinafter provided.
- 1.2 All said leaves shall be issued in writing and shall set forth the effective dates and purposes thereof. A signed copy of each such leave shall be furnished the board within fifteen (15) days of its effective date by the person having legal authority to grant and sign such leaves.
- 1.3 The right to regulate the time at which any employee may take an annual leave, or any other which is not beyond the control of the employee, shall be vested at all times with the Appointing Authority. (Sec. 25, Act 102 of 1944).
- 1.4 No leave shall be granted to or used by an employee in the classified service for the purpose of such employee engaging himself in other employment.
- 1.5 The Board expressly reserves the right to investigate and set aside any leave granted or used contrary to the provisions and purposes of these rules; or to take any other action it deems necessary or proper under the authority and provisions of Act 102 of 1944.

SECTION 2

- 2.1 No leave of absence shall be granted by the Chief of Police and/or the Chief of the Fire Department to any member for any cause for a longer period than ninety (90) days at any one time. However, in special cases, the respective appointing authority may grant one (1) additional leave of ninety (90) days, or a total of not more than six (6) months for any one leave. Upon application of the appointing authority setting forth the reasons therefor the Board may grant such additional leave as they find necessary.
- 2.2 All requests for leaves of absence shall be in writing, addressed to the proper appointing authority, and signed by the applicant, stating the purpose for which leave is requested. Whenever the appointing authority has acted upon said request, either to grant or deny same, such action shall be in writing, one copy addressed to the applicant and one copy to the board. Both a copy of the request and the action of the appointing authority shall be attached to the employee's service record and become a part thereof.

SECTION 3: SICK LEAVE

- 3.1 Each employee of the classified service shall be entitled to and given, with full pay, sick leave aggregating not less than fifty- two (52) weeks during a calendar year for any sickness or injury or incapacity not brought about by the employee's own negligence or culpable indiscretion. Any employee of the classified service who draws such full pay during sick leave shall have such pay decreased by the amount of workman's compensation benefits actually received by such employee. Classification of leave of absence for the forementioned will be "Leave of Absence With Pay".
- 3.2 Sick leave shall not be used for absences incurred because of attendance to personal affairs. Any employee on sick leave is required to diligently pursue full recovery and any activity which is contrary to this endeavor may be the basis for disciplinary action which could include termination.
- 3.3 When an employee of the classified service is ill and cannot report for duty, it is the employee's responsibility to notify the supervisor or designated representative of the chief of the department not later than one (1) hour prior to the start of the assigned duty period. Failure to notify, as indicated above, will result in the forfeit of pay, as it is classified as "absent without leave and pay" and may result in additional disciplinary action.

- 3.4 Sick leave is applicable to maternity claims. Maternity leave commences when a doctor certifies that the employee cannot perform all of the duties of her position and light duty within her classification is not available.
- 3.5 No cash payment may be made for accumulated sick leave. Should any illness last longer than three (3) consecutive calendar days, the employee is required to submit a doctor's certificate indicating the illness or condition which justified the absence, as well as the probable duration of the illness. For failure to produce a doctor's certificate for any illness over three (3) consecutive calendar days, the employee will be classified as "absent without leave and pay." Should any employee of the classified service abnormally absent themselves before or after their scheduled days off, or at any other time, the employee may be required to submit a doctor's certificate should the absence be for only one (1) calendar day.

SECTION 4: SPECIAL LEAVE

- 4.1 No leaves shall be granted except as provided in Sections 2 and 6 hereof.

SECTION 5: CIVIL LEAVE

- 5.1 Regular employees shall be given time off without loss of pay or vacation leave when performing jury duty, when subpoenaed to appear before a court, public body, board, or commission, or for the purpose of voting, or when an employee, being a member thereof, attends meetings of the Civil Service Board.

SECTION 6: MILITARY LEAVE

- 6.1 Any regular and permanent employee who left a position of the Departmental Service, which now comes within the classified service for the purpose of entering the Armed Forces of the United States of America by reason of induction therein through the Federal Selective Training and Service Act, or any amendments or revisions thereto, or by recall to active duty with the Armed Forces as a member of the Officers or Enlisted Reserve Corp, shall be restored to his position upon the termination of such service and, thereafter, be subject to the rights and jurisdiction of the Classified Service created by Act 102 of 1944: provided any such employee shall make application therefor to the Appointing Authority within sixty (60) days from the date of his honorable discharge or discharge under honorable conditions, and is physically and mentally capable of performing the work of his position to the satisfaction of

the Appointing Authority. (Sec. 10 (a), Act 102 of 1944).

SECTION 7: LEAVE WITHOUT AUTHORITY

7.1 The absence of any employee, without first obtaining a written leave in accordance with these rules, may be covered by an authorized leave upon the return of such employee, provided, the conditions of his absence warrant such action; if not, disciplinary action may be taken against any such employee for the infraction of these rules. If subsequent Leave is not granted, and disciplinary action is not taken, the Appointing Authority shall immediately report the matter to the Board. Any wilful violation of these rules shall constitute cause for dismissal from the service.

SECTION 8: HOLIDAYS

Each member of the classified service shall be granted "Leave of Absence with Pay" on the following legal holidays:

1. New Year's Day
2. Martin Luther King's Birthday
3. Mardi Gras Day
4. Memorial Day
5. 4th of July
6. Labor Day
7. Columbus Day
8. Veteran's Day
9. Thanksgiving Day
10. Christmas

NI	03-12-54
Rev	07-15-55
	03-20-75
	03-31-82
	04-04-84
	03-08-95
	04-29-96